

---

**Media Advisory: California Appellate Court To Hear Stem Cell Litigation CIRM - Defends Constitutionality of State's \$3 Billion Research Initiative**

Posted: February 8, 2007

SAN FRANCISCO, February 8, 2006 - The California Court of Appeal, First District, will hear oral arguments in the litigation challenging the constitutionality of the California Stem Cell Research and Cures Act (Proposition 71) and the California Institute for Regenerative Medicine (CIRM) on Wednesday, February 14, 2007.

**WHO:**

Justices of the Court of Appeal, First District

Tamar Pachter, Deputy Attorney General of California, representing CIRM and other state defendants

James Harrison, Remcho, Johansen & Purcell, Special Counsel to CIRM

Robert Taylor, Life Legal Defense Foundation, representing the People's Advocate and National Tax Limitation Foundation

David Llewellyn, representing the California Family Bioethics Council

**WHAT:**

The State Court of Appeal will hear oral arguments in an appeal of the Alameda County Superior Court decision that Proposition 71 is constitutional and that the agency it created, CIRM, is fully under the control and oversight of the State of California. The Superior Court ruling was rendered on April 21, 2006. The appeal was brought by the plaintiffs – People's Advocate and the National Tax Limitation Foundation (represented by the Life Legal Defense Foundation), and the California Family Bioethics Council. CIRM is represented by the State Attorney General and Special Counsel, Remcho, Johansen & Purcell.

**WHEN:**

Wednesday, February 14, 2007

9:00 a.m. (Pacific)

**WHERE:**

Court of Appeal, First District

State of California

350 McAllister Street

San Francisco, CA 94102

**WHY:**

This litigation is delaying the issuance of stem cell research bonds authorized by California voters. Thanks to loans from the State's General Fund and private philanthropists totaling \$195 million, CIRM has developed the regulatory and administrative infrastructure needed to manage a \$3 billion program, and is about to award its first non-training scientific research grants. (CIRM funded \$12.1 million in training grants at 16 California institutions this past April.) A decision from the Court of Appeal should be handed down this spring. An appeal to the State Supreme Court is likely to follow. CIRM anticipates the litigation will conclude sometime in the second half of 2007.

Please note the Court of Appeal's policy on media coverage of oral arguments:

## FIRST APPELLATE DISTRICT

Published pursuant to California Rules of Court, rule 80  
[Amended effective Feb. 7, 2003]

### Policy Statement B. Media Coverage of Matters at Oral Argument

If the press wishes to bring television cameras into the courtroom during oral argument, the Judicial Council form titled Request to Conduct Film and Electronic Media Coverage and Order must be completed at least three hours in advance of the proceedings. The presiding justice of each division may grant or deny the request for courtroom cameras and recording equipment. The rule of court which governs the restrictions in this area is California Rules of Court, rule 980. One of the provisions of this rule requires that the clerk of the court promptly inform the parties when a request is made for film or electronic coverage of courtroom proceedings (rule 980(e)(1) ).

The court directs the media's attention specifically to rule 980(e)(8), requiring pooling by media agencies.

All cameras and equipment shall be set up before the calendar begins. To prevent disruption of other cases on calendar, media personnel shall not move equipment or enter or leave the courtroom while the court is in session.

The court may request the public information office of the Administrative Office of the Courts to determine from the press prior to the calendar the number of seats they require and to notify the court.

To ensure sufficient seating, attorneys and litigants with cases on calendar, necessary court personnel and the press will be allowed in the courtroom first. After these people are seated, the general public will be admitted.

Contacts:	Dale A. Carlson
	415/396-9117

---

**Source URL:** <http://www.cirm.ca.gov/about-cirm/newsroom/press-releases/02082007/media-advisory-california-appellate-court-hear-stem-cell>